

JPW 2882

USSN: 10/086,653  
Atty. Dkt. No.: 6750-0001.20  
Client Dkt. No.: IT00-U01.US2

**PATENT**

**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **October 8,**

2004.

10/8/04

Date

Melchelle Hobson

Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

LANG

Serial No.: 10/086,653

Filing Date: February 27, 2002

Title: METHODS AND DEVICES FOR  
QUANTITATIVE ANALYSIS OF X-RAY  
IMAGES

Examiner: Courtney D. Thomas

Group Art Unit: 2882

Confirmation No.: 8290

Customer No.: 36806

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Transmitted herewith for filing, please find the following documents:

- x Copy of the Notice of Non-Compliant Amendment (2 pages)
- x Amendment (12 pages) with attached 6 sheets of drawings including 1 new sheet of drawings (Fig. 10A-C) (6 pages)
- x Return receipt postcard.




The fee is calculated as follows:

	<b>NO. OF CLAIMS</b>	<b>CLAIMS PREVIOUSLY PAID FOR</b>	<b>EXTRA CLAIMS</b>	<b>RATE</b>	<b>FEE</b>
Total Claims	19	- 30	0	x \$18.00	\$0
Independent Claims	3	- 3	0	x \$86.00	\$0
Multiple dependent claims not previously presented, add \$290.00					\$0
Total Fee					\$0
Sub Total					\$0
Petition for Extension of Time					\$0
Small Entity Reduction (if applicable)					\$0
<b>TOTAL FEE DUE</b>					<b>\$0</b>

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: October 8, 2004

By:   
Dahna S. Pasternak  
Registration No. 41,411  
Attorney for Applicants

ROBINS & PASTERNAK LLP  
1731 Embarcadero Road, Suite 230  
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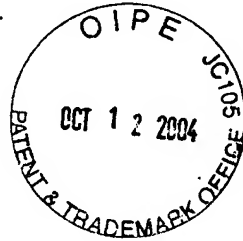


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,653	02/27/2002	Philipp Lang	6750-0001.20	8290

36806 7590 09/17/2004  
IMAGING THERAPEUTICS, INC.  
C/O ROBBINS & PASTERNAK  
1731 EMBARCADERO ROAD  
SUITE 230  
PALO ALTO, CA 94304-3303



EXAMINER

THOMAS, COURTNEY D

ART UNIT PAPER NUMBER

2882

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED**

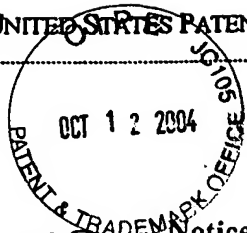
SEP 21 2004

ROBBINS & PASTERNAK LLP

6750-0001.20  
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10/086.653 Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9-7-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☒ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

P. Welke  
Legal Instruments Examiner (LIE)

571-272-1636  
Telephone No.